

AG Contract No. KR98 1271TRN  
ADOT ECS File No. JPA 98-107  
Project No. STP-526-(7)P  
TRACS No. SS266 01C  
Project: South River Road  
Rio Rico - Beyerville

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE DEPARTMENT OF TRANSPORTATION  
AND  
SANTA CRUZ COUNTY, ARIZONA

THIS AGREEMENT is entered into 13 October, 1998,  
pursuant to the provisions of Arizona Revised Statutes Section 11-951  
through 11-954, as amended, between the STATE OF ARIZONA, acting by  
and through its DEPARTMENT OF TRANSPORTATION, (the "State"), and SANTA  
CRUZ COUNTY, acting by and through its BOARD OF SUPERVISORS (the  
"County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

3. Congress has authorized appropriations for, but not limited to, the design and construction of streets and primary, feeder and farm-to-market roads; the replacement of bridges; the elimination of roadside obstacles; and the application of pavement markings.

4. Such project within the boundary of the County has been selected by the County; the field survey of the project has been completed; and the plans, estimates and specifications have been prepared and, as required, submitted to the Federal Highway Administration ("FHWA") for approval.

NO. 22728  
Filed with the Secretary of State  
Date Filed: 10/13/98

Petrey Bayless  
Secretary of State

Vicky V. Greenwood

5. The only interest of the State in this project is in the acquisition of federal funds for the use and benefit of the County by reason of federal law and regulations under which funds for the project are authorized to be expended.

6. The work embraced by this agreement and the estimated cost is as follows: Roadway reconstruction.

Estimated Project Cost (includes 15% CE)	\$1,889,714.00
Federal Aid Funds @94.3%	\$1,782,000.00
Santa Cruz County funds @ 5.7%	\$ 107,714.00
5% Surcharge	\$ 94,486.00
Total County Funds	\$ 202,200.00*

This includes a 5% surcharge on total project cost per Local Government Engineer memo dated 1 October 1991.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

## II. SCOPE OF WORK

1. The State shall submit a program containing the aforementioned project to FHWA with the recommendation that it be approved for construction.

a. If such project is approved for construction by FHWA and the funds are available for construction of the project, the State with the aid and consent of FHWA and the County will proceed to advertise for, receive and open bids, and subject to the concurrence of FHWA and the County, award the contract, enter into a contract with a firm to whom the award is made for the construction of the project, such project to be performed, completed, accepted and paid for in accordance with the requirements of the Standard Specifications for Road and Bridge Construction of the Highways Division, Arizona Department of Transportation. Further, the State will enter into a Project Agreement with FHWA covering the work embraced in said construction contract and will request the maximum federal funds available.

b. Should unforeseen conditions or circumstances increase the cost of said work required by a change in the extent or scope of the work called for in this agreement, the State shall not be obligated to incur any expenditure in excess of the amount of the County's deposit unless and until so authorized in writing by the County.

2. Prior to the solicitation of bids, the County shall deposit funds with the State in the amount determined by the State to be necessary to match federal funds in the ratio required. Upon completion of the construction contract, the State shall return to the County any part of the funds deposited by the County remaining after County's pro rata share of the cost, as finally fixed and determined by FHWA, has been paid.

3. The County shall acquire, without cost to the State, the necessary right-of-way and hereby certifies that all necessary rights-of-way have been acquired.

4. The County shall remove from the proposed right-of-way all obstructions or unauthorized encroachments of whatever nature, either above or below the surface of the roadway, and hereby certifies that all obstructions and encroachments have been removed therefrom, prior to the start of construction.

5. The County shall not permit or allow any encroachments, except those authorized by permit, upon, or private use of, the right of way. In the event of any unauthorized encroachment or improper use, the County shall take all necessary steps to remove or prevent any such encroachment or use; failing in which the State shall have the right to proceed with the removal or prevention thereof, the cost of such removal or prevention to be borne by the County.

6. Upon completion of construction, the County shall provide for, at its own cost and as an annual item in its budget, proper maintenance, including, but not limited to, signs, and markings necessary for the purpose of regulating, warning and guiding traffic, all in accordance with the requirements of the current edition of the Manual on Uniform Traffic Control Devices for Streets and Highways.

### III. MISCELLANEOUS PROVISIONS

1. The State assumes no financial obligation or liability under this agreement. The County assumes full responsibility for the design, plans and specifications, reports, the engineering in connection therewith, and the construction of the improvements contemplated, cost over-runs and construction claims. It is understood and agreed that any damages arising from carrying out, in any respect, the terms of this agreement or any modification thereof, shall be solely the liability of the County and that the County hereby agrees to save and hold harmless and indemnify from loss the State, any of its departments, agencies, officers or employees from any and all cost and/or damage incurred by any of the above and from any other damage to any person or property whatsoever, which is caused by any activity, condition, or event arising out of the performance or nonperformance of any provisions of this agreement by the State, any of its departments, agencies, officers and employees, the County, any of its agents, officers and employees, or any of its independent contractors. Costs incurred by the State, any of its departments, agencies, officers or employees shall include in the event of any action, court costs, expenses of litigation or attorneys' fees.

2. This agreement shall remain in force and effect until completion of the work and related deposits or reimbursements.

3. This agreement shall become effective upon filing with the Secretary of State.

4. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

5. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

6. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

7. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Santa Cruz County  
County Engineer  
2150 N. Congress Drive  
Nogales, AZ 85261

8. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

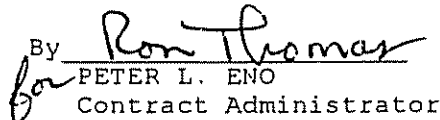
SANTA CRUZ COUNTY, ARIZONA

By 

Board of Supervisors

STATE OF ARIZONA

Department of Transportation

By   
for PETER L. ENO  
Contract Administrator

ATTEST

By 

Clerk of the Board

RESOLUTION

BE IT RESOLVED on this 19th day of June 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with Santa Cruz County for the purpose of defining responsibilities for the design, construction and maintenance of improvements to South River Road, Rio Rico - Beyerville.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Contract Administrator for approval and execution.

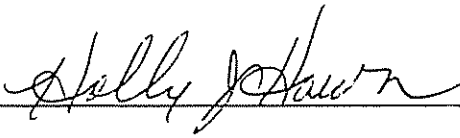
A handwritten signature in black ink, appearing to read 'D. Allocco', written over a horizontal line.

DAVID ALLOCCO, Manager  
Engineering Technical Group  
for Mary E. Peters, Director

APPROVAL OF THE SANTA CRUZ COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and SANTA CRUZ COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 29 day of Sept, 1998.

  
\_\_\_\_\_  
County Attorney

Board of Supervisors  
July 28, 1998  
9:30 a.m.

Board met in regular session. Present: Ron Morriss, Chairman; Robert Damon, Member; Dennis Miller, County Manager; Martha Chase, County Attorney; Melinda Meek, Clerk. Vice-Chairman Robert Rojas, not present. Also present: Brian Varney, Victor Gabilondo, Carlos Rivera, Frank G. Salomon, Claudia Leal, Ken Zehentner, Ben Stepleton, Sheriff Estrada, Rene Piña, Mary Helen Maley, Nancy Maclean, Roberto C. Montiel.

**CALL TO THE PUBLIC:** No response

Motion by Mr. Damon to deviate from agenda sequence as necessary; second by Mr. Morriss; carried.

**CIVIL CLERK TO CIVIL/ACCOUNTING CLERK, JP#1:** Justice of the Peace, Precinct #1, Mary Helen Maley addressed the Board as follows:

July 28, 1998

Presentation to the Board of Supervisors

Re: Approval of position-Senior Court Clerk/Accounting Specialist

Classification Range 38-\$20,865.

By: Justice of the Peace Mary Helen Maley

The request I am making today is of utmost importance to the proper functioning of the Justice Court. This job concerns the preparation of financial reports and maintaining financial records for the Justice Court. I want to tell you the history of these job duties.

Prior to my appointment by this Board in November of 1993, the Justice Court was placed under the supervision of the Superior Court by the Supreme Court's Operational Review. When I became Justice of the peace the duties found in today's proposed job description were performed by the Court Administrator, Yolanda Soto. When she left her position these duties were assigned to an outside contractor, Dianne Prier, who also does bond research and monitoring. Dianne then became a part time employee and has continued to be responsible for these duties.

Now it is time for a regular Justice Court employee to take on the responsibilities. I am not asking the Board for any extra money for this position. In fact, this is the second year that I have not requested any additional funds for my budget. The money needed for this position will be taken from that which is being paid to the part time employee. I will reduce her hours accordingly and she will continue to research and reconcile old bonds to find money that can go to the county's general fund or be returned to the proper parties. After the takeover of the Court it was determined that there was only one bank account into which all fines and bonds were deposited. Mrs. Soto made an estimate of how much of that money represented bonds and opened a separate bond account. Dianne Prier, the part time worker, has been going back year by year and researching where that money should go. She has literally found thousands of dollars in bonds which we have converted to pay fines or forfeited, both benefiting the County's general fund. Last year we sent several thousand dollars to the County Treasurer to hold in a suspension account for one year. If it is not claimed it will go directly into the general fund. This part time position will be eliminated when the function I have just described is completed. This will then be a savings of money not needed to be paid to a part time worker. I am not ready to take that step today, but I will when the task is completed. To do so prematurely would be a violation of the Supreme Court's Operational Review Order and to fail to properly account for these monies could expose the County to liability.

I have been working with the county administration on this request for the past 16 weeks. At first it was suggested that the duties could be added to this employee along with the added compensation. Later it was suggested that the better approach would be to revise and reclassify the job description. I have used every effort to follow your procedures and have spent much time discussing what I need and explaining what the proper functioning of the Court requires. I have met with objections. I was told yesterday that other counties were contacted and they do not have such a job description and that these duties are performed by a lesser employee or supervisor. It is impossible for me to respond to these

statements since I do not know what questions were asked or of whom they were asked. I can say that I am in the best position to know what is needed. I will not assign these duties to my Supervisor who has the daily responsibility of reconciling cash drawers with the clerks. These duties need to be separated pursuant to the Minimum Accounting Standards whenever possible and in this case it is possible. The philosophy of this Board's Classification Plan would not be consistent with the suggestion that these substantial duties should be given to an employee without adequate compensation.

I have reviewed the County's Classification Plan and my request is consistent with the qualitative standards of the plan in the following ways. The classification change aids in the retention of a competent and qualified worker. It identifies the job related essential tasks that need to be performed, and sets forth the minimum requirements and the desirable knowledge and skill needed. This new position is responsive to the change in the organizational structure and operating methodologies of the Justice Court. It allows for appropriate compensation in relation to the difficulty and complexity of the work performed. The employee has the training and experience necessary to perform the new duties.

The new job description meets the last goal and objective set by the Justice Court at the request of this Board at the time of the adoption of the 96-97 budget when I was asked to prepare an organizational Chart. This job will have senior clerk status and will comply with Mr. Miller's request to have these accounting duties performed by a full time staff member. It also aids the Court in complying with the Minimum Accounting Standards required by the Arizona Supreme Court. The total revenue collected by the Justice Court during the calendar year 1996 was \$696,334., for 1997 it was \$998,063., and for the first six months of 1998 the collection figure is \$860,825. This revenue comes from fines as small as \$50.00. Each transaction must be accounted for properly. I must feel confident that these accounting duties are being performed appropriately. I sincerely appreciate your thoughtful consideration of my request. I hope that you will agree with my reasoning and will understand that this is necessary for the proper functioning of the justice Court. Do you have any questions? Thank you.

Mr. Damon asked if the County retains the money that is collected; Judge Maley responded that the County and State each retain their respective portion of collections.

Superior Court Judge Robert C. Montiel advised the Board that he has a responsibility, as the presiding Judge under the constitution of the State of Arizona, of overseeing the Courts in Santa Cruz County which are the Municipal Courts in Patagonia and Nogales and the Justices of the Peace, Precincts 1 & 2. JP 1 handles a large sum of money and Judge Maley does not have the time to constantly monitor the financial duties anymore than the Board does; the Board of Supervisors depends on Mr. Miller, who in turn depends on the Finance Department.

The issue at hand, as he sees it, is a separation of power; as a matter of courtesy and respect for the other branches of government, he has always voluntarily worked with the County in their monetary and personnel system; this has worked well in the past 18 years and both branches have had a great deal of respect for one another. Superior Court has certain alternatives with regard to budgeting; they can follow past practice or they can ask for a lump sum figure and the Court would decide how funds are to be dispersed. Judge Montiel would like to continue past practice.

Judge Montiel stated that Judge Maley is asking to restructure her Court to protect the integrity of the monetary system; she is not being capricious or arbitrary and he does not believe that it is prudent for another branch of government to attempt to micro-manage what she is trying to do; she is requesting authorization to do something that is more than reasonable and is in the best position to determine the needs of her Department especially when it comes to the management of money.

Judge Montiel strongly urged the Board to approve Judge Maley's request.

Mr. Morriss stated that the County Personnel Policy's integrity is only as good as its enforcement; it is difficult to have a personnel policy with the Judicial Branch choosing to follow it sometimes and not others; the Board of Supervisors is responsible for budgeting for the entire county of Santa Cruz; one of the controls we have is the County's Personnel Policy, and it makes it difficult to maintain its integrity when it seems that we are threatened with the possibility that if we require that the policy be followed, that it can be revoked by the Judicial branch.

Judge Montiel understands the importance of maintaining the integrity of the Personnel Policy; however, over the course of the last 5 years, the Board has seen fit to increase personnel in its structure to include additional personnel in the financial structure because you need to make sure that the County's



financial system is strong and accurate; when the Board made those decisions, they did not have anyone looking over their shoulder and telling them that they could not make those decisions. It makes more sense to authorize Judge Maley's request to restructure the duties of existing personnel for approximately \$10,000 than to hire an additional employee as a Financial Officer for \$30-\$40,000.

Mr. Morriss stated that the Board of Supervisors has no power over the Judicial branch; the Board has the obligation and responsibility to budget and provide for all County departments; the Board must make the right decision on behalf of what is in the best public interest for the taxpayers of Santa Cruz County.

Carlos Rivera, Santa Cruz County Personnel Director, has met with Judge Maley and members of her staff concerning this issue. Mr. Rivera surveyed Justice Courts in other counties (Pinal, Cochise, Mohave and Navajo) and found that the fiscal duties that Judge Maley is requesting additional compensation for are currently assigned to Clerks within each Court with no additional compensation; in other counties, these duties are all required duties of a Clerk. Mr. Rivera does not recommend approval of the request due to the fact that the duties are clearly those required of a Clerk in every other County surveyed and also because the Clerk in J.P. #2 performs the same duties along with numerous other duties with no additional compensation.

Judge Montiel asked if salaries were surveyed; Mr. Rivera responded that according to the Local Government Salary and Benefit Survey prepared by the League of Arizona Cities and Towns, the Association of Counties and the County Supervisors Association, Santa Cruz County's beginning salary for a Justice Court Clerk is in the top 30% compared to other counties; according to other counties in the State, our Justice Court Clerk's are not being underpaid.

Judge Montiel stated that the Board makes its own decisions not only as to salary amounts but also the number of employees it is going to employ; the Court system has not grown much in the past 7 years because he has been extremely austere with his budgets; he will take a position to not allow another branch of government to control how monies are going to be expended in the Court system and will make sure that the Courts maintain authority and responsibility as he sees fit.

Mr. Morriss appreciates Judge Montiel's austerity in the judicial branch operations; the Board respects the power of the Courts and understands that the Courts have the final say, however, the Board must do what it can to manage the taxpayers resources as effectively as they possibly can. The Board relies on the professionalism of the Personnel Director who did research on the issue and has presented his recommendation and is not trying to second guess the needs of the Courts.

Mr. Miller explained that this is not about the money so much as it is trying to maintain the integrity of the structure of the Compensation Plan/Personnel Policy; if the Board authorized this request, according to the survey performed by the Personnel Director, Santa Cruz County would be out of step; if there is a need, he might support hiring an accounting type person but would require the elimination of outside help.

Judge Maley stated that she is not here to negotiate the issue and feels that the Board is outguessing her needs; she is requesting the reclassification to a Senior Clerk status/Accounting Specialist at a Range 38.

Motion by Mr. Morriss to table this item for 1 week; second by Mr. Damon; carried.

**SPECIAL RECOGNITION:** Mr. Morriss stated that he had received information regarding an incident in which an employee of Santa Cruz County Animal Control went beyond his call of duty to locate the home of a lost puppy in the middle of the night and the puppy's owner was extremely grateful.

The Board expressed their gratitude and presented a Certificate of Recognition to Sergio Eriksen for his outstanding job performance as a Santa Cruz County Animal Control Officer.

**FINANCIAL REPORT:** Chief Accountant, Claudia Leal, reported \$350,213 in the General Fund; \$283,352 in the Road Fund; \$394,687 in the Flood Control District Fund; \$1,987,766 total for all funds; \$335,213 estimated end of month balance compared to \$701,477 cash at July 1997.

**HEALTH & ENVIRONMENT REPORT:** Environmental Health Director, Ben Stepleton, reported that no samples were taken during the recent floods; samples were taken before and after and counts are being maintained at acceptable levels; the Uniform Plumbing Code Commission met yesterday, but he has not yet received an update; Bulletin 12 issue deadline was the end of July, the deadline will be

extended. Santa Cruz County was one out of only four counties in the State of Arizona to receive funding for Domestic Violence Education.

**PROJECTS REVIEW REPORT:** Public Works Director, Ken Zehentner, reported that the chip seal program has been delayed due to heavy rainfall and the need to clean up debris throughout the County; the Flood Control crew assisted people in getting back into their houses after flooding; the County provided equipment assistance to the City of Nogales in the Monte Carlo area.

The Board Recessed General Session and convened the Public Hearing duly published for 10:00 a.m. (RM/RD; carried)

10:00 a.m.

Public Hearing

**FINAL ADOPTION OF FEES:** Mr. Morriss stated that the Board previously approved fees for the following areas: Building Code Permits and Plan Check Fees; Rio Rico Landfill Use Fees; Public Fiduciary Service Fees; Health Department Permits, Inspection and Plan Review Fees; Calabasas Park Fees; Nogales International Airport Apron Tie-Down, Hangar Rental and Long-Term Parking Fees; and Animal Control Fees. Mr. Morriss asked if there have been any changes to the fee schedule; Chief Accountant Claudia Leal responded no.

Mr. Morriss asked if there is anyone from the public that wishes to discuss this matter; no response.

The Public Hearing was closed and General Session reconvened at 10:33 a.m. (RM/RD; carried)

**FINAL ADOPTION OF FEES:** Mr. Damon made a motion to adopt fees as provided for in the following document; second by Mr. Morriss; carried:

## SANTA CRUZ COUNTY

### FEE INCREASE PROPOSAL

*Revised 6-23-98*

#### RIO RICO LANDFILL FEES

##### *PER TON CHARGES*

Average Annual Tonnage	Current Fee \$23/ton	Proposed Fee \$32/ton	Total Annual Increase
35,000	805,000	1,120,000	\$315,000
Car	1.00	2.00	1.00
Truck	2.00	3.00	1.00
<b>CURRENT</b>			
General Fund (70%)	563,500	784,000	220,500
Reserve Fund (30%)	241,500	336,000	94,500

*This proposed fee will increase the Rio Rico Landfill fees in General Fund by approximately \$220,500*

#### CALABASAS PARK

Activity/Service	Current	Proposed	Total Increase
Ramada Fee (non-refundable)	25.00	50.00	25.00
Cleaning Deposit (refundable)	75.00	150.00	75.00
Vehicle Fee	2.00	2.00	0.00

*These proposed fees will increase*

**Calabasas Park Fee Revenue by  
approximately \$2,700**

**BUILDING CODES**

Activity/Service	1997 Fee Table Adopted but Not in Use
Building Permit for Total Valuation	
\$1 - \$500	23.50
\$501 - \$2,000 (For first \$500)	23.50
Each additional \$100	3.05
\$2,001 - \$25,000 ( For first \$2,000)	69.25
Each additional \$1,000	14.00
\$25,001 - \$50,000 (For first \$25,000)	391.75
Each additional \$1,000	10.10
\$50,001 - \$100,000 (For first \$50,000)	643.75
Each additional \$1,000	7.00
\$100,001 - \$500,000 (For first \$100,000)	993.75
Each additional \$1,000	5.60
\$500,001 - \$1,000,000 ( For first \$500,000)	3,233.75
Each additional \$1,000	4.75
\$1,000,001 and up (For first \$1,000,000)	5,608.75
Each additional \$1,000	3.65
Plan check fee	10% of building permit fee.

The 1997 Uniform Building Code has been  
adopted but it is not in use. The building  
department needs  
a written approval from the Board of  
Supervisors to start using new adopted  
schedule fee

***The initiation of the 1997 UBC fees will  
increase Building Permit Fee Revenue by  
approximately \$150,000***

<b><u>PUBLIC FIDUCIARY</u></b>	Current	Proposed	Total
Activity/Service	Hourly Rate	Hourly Rate	Increase
Referral/Investigation/Petition for Guardianship/ Conservator/Court Hearing/Testimony/Appoint. Administrative Management of Estate/ Case Management.	14.00	24.00	10.00

***These proposed fees will increase Public  
Fiduciary Fee Revenue by approximately  
\$2,400***

**NOGALES INTERNATIONAL AIRPORT**

**Total**

Activity/Service	Current	Proposed	Increase
<u>APRON-TIE DOWN</u>			
Small Aircraft (Based) per month rate	35.00	35.00	0.00
Small Aircraft (Transient) per night rate	0.00	5.00	5.00
Commercial per month rate	0.00	125.00	125.00
<u>HANGAR RENTAL</u>			
Older T-Hangar per month rate	105.00	125.00	20.00
New "Type A" Hangar per month rate	0.00	180.00	180.00
New "Type B" Hangar per month rate	0.00	225.00	225.00
C-1 Hangar per month rate	0.00	500.00	500.00
Long-Term Parking	0.00	15.00	15.00

*These proposed fees will increase Airport  
Fee Revenue by approximately  
\$33,000.(1/2 yr.projection)*

<u>HEALTH FEES</u>			Total
Activity/Service	Current	Proposed	Increase per unit
Bakeries/Tortillas	120	143	23
Bar/Lounge Small	85	126	41
Bar/Lounge Large	120	156	36
Beverage Plant/Bottle Water	0	163	163
Campground	0	104	104
Day Care(Food Serv)	85	109	24
Delicatessen	65	149	84
Food Handlers Certif.	7	12	5
Food Processor	120	153	33
Food Serv. Estbbs.>1500sq.ft.	120	221	101
Food Serv. Estbbs.<1500sp.ft.	85	164	79
Food Service Mobile	10	140	130
Food Service Temp.<14days	5	45	40
Food Vendor (Ice Cream)	10	100	90
Garbage/Refuse Hauler	85	101	16
Additional Truck	10	37	27
Ice Manufacturing Plant	120	133	13
Meat Establishment	85	128	43
Retail Food Estbbs.>1500sq.ft.	120	137	17
Retail Food Estbbs.<1500sq.ft.	85	117	32
Swimming Pool/Jacuzzi	85	122	37
Mobile Home Park	85	94	9
Additional Space	0.5	1	1
Hotel/Motel/RV Park	85	87	2
Additional/Room Space	0.5	1	1
Septic Tank Pumper/Hauler	85	110	25
Additional Truck	10	30	20
Septic system SFR	30	146	116
Septic System-Commercial<1000GPD	30	171	141
Septic System-Commercial>1000GPD	30	230	200
Additional Inspection-Faulty Installation	20	83	63
Plan Review-Food Establishment	30	157	127
Plan Review-Food Service (Mobil)	30	98	68
Food Establishment Re-inspection	0	0	-

*These proposed fees will increase Health  
Fee Revenue by approximately \$68,000*

**ANIMAL CONTROL**

Activity/Service	Santa Cruz Current	Proposed	Total Increase
License Regular (County)	8.00	15.00	7.00
License Sterilized (County)	4.00	6.00	2.00
Impounds	10.50		0.00
Board per day	3.00	5.00	2.00
Quarantine 10 day	30.00	50.00	20.00
Pick Up	10.00	25.00	15.00
Pick Up & Euthanize	20.00	35.00	15.00
Walk-in Euthanize	5.00	20.00	15.00
Adoption - Dog (Adult)	5.00		0.00
Adoption - Dog (Puppy)	4.00		0.00
Adoption - Cat or Kitten	3.00		0.00
DOA Pick Up	10.00	25.00	15.00

*These proposed fees will increase Animal  
Control Fee Revenue by approximately  
\$6,000.*

**SPECIAL EVENT LICENSE:** Motion by Mr. Damon to approve the Special Event License Application for the Nogales Border Lions Club, August 22, 1998; second by Mr. Morriss; carried.

**KIDS VOTING ARIZONA:** Mr. Morriss stated that he received a letter from Angela C. Melczer, Kids Voting Arizona Executive Director, requesting a contribution in the amount of \$100 from Santa Cruz County for 1998 to support Kids Voting Arizona. 1998 is the tenth anniversary of their pilot program; the Kids Voting program is provided free of charge to participating schools because of sponsorships; according to research conducted by Dr. Bruce Merrill, 5% of the adults surveyed said they voted only because of the Kids Voting Program.

Motion by Mr. Morriss to authorize a contribution of \$100 for Kids Voting Arizona for 1998; second by Mr. Damon; carried.

**AUTHORIZATION TO ADVERTISE:** Animal Control Director, Mac McWilliams requested authorization to advertise Pet Adoption Day, August 8, 1998, in newspapers county-wide and in the Green Valley News.

Motion by Mr. Damon to authorize the advertisement of Pet Adoption Day, August 8, 1998, in newspapers other than the official county newspaper; second by Mr. Morriss; carried.

**ELECTIONS IGA:** Mr. Damon made a motion to approve the Intergovernmental Agreement For the Joint Cooperation Conduct of Elections between Santa Cruz County and the City of Nogales for the 1998 election cycle as approved by the County Attorney; second by Mr. Morriss; carried.

**SOUTH RIVER ROAD PROJECT:** Mr. Zehentner informed the Board that this agreement is with the Arizona Department of Transportation for the South River Road Project; the estimated project cost, which includes inflation allowance, is \$1,889,714; \$1,782,000 is Federal Aid funds; \$107,714 is Santa Cruz County funds; \$94,486 is the 5% surcharge; \$202,200 is the total county funds.

Mr. Zehentner stated that page 2 of the Agreement indicates that the work embraced by the Agreement is for Bridge Replacement and should be for Roadway reconstruction; a corrected page 2 was forwarded to his office and given to Attorney Hawn but cannot be located. Mr. Zehentner recommended approval contingent upon the insertion of the correct page 2 into the Agreement.

Motion by Mr. Morriss to approve Agreement JPA-98-107 with Arizona Department of Transportation on South River Road Project contingent upon the insertion of the correct page 2 into the Agreement; second by Mr. Damon; carried.

**TAX VALUATION ADJUSTMENTS:** County Assessor, Frank G. Salomon, informed the Board that this Resolution #S19970000129 replaces Resolution #S19970000126 which was tabled from last week's agenda due to a clerical error.

Form 690 Resolution #19970000129 was approved as submitted by the County Assessor. (RD/RM; carried)

**MINUTES** of July 7, 1998, were approved as submitted; Minutes of July 14, 1998, were tabled. (RD/RM; carried)

**AFFIDAVIT FOR TAX EXEMPTIONS** for Elena Orozco and Shalleen Garcia were approved as submitted by the County Assessor. (RM/RD; carried)

**BOND FOR DUPLICATE WARRANT** #1-52037 for Davisson Culbertson in the amount of \$1,024.21 dated July 17, 1998, was approved. (RD/RM; carried)

**CDBG CONTACT PERSON:** Mr. Zehentner recommended that Brian Varney be appointed as the CDBG Contact Person for Santa Cruz County.

Motion by Mr. Damon to appoint Brian Varney as the CDBG Contact Person for Santa Cruz County; second by Mr. Morriss; carried.

**RESOLUTION #1998-18:** Brian Varney requested Board's approval of Resolution #1998-18 authorizing the submittal of CDBG Application(s) and implementation of CDBG Projects in Santa Cruz County as follows: La Cancha Park Improvements; Road/Street (sidewalk construction) Improvements - Monte Carlo Subdivision; and Rio Rico Senior Center Facility Improvements (parking lot paving).

Mr. Morriss asked if the requests from the Portable Practical Education Preparation Inc., for \$9,300 for Patagonia youth activities, PPEP Micro-business Loan Program's for \$48,000 and the Tubac Cemetery for \$18,000 were given consideration; Mr. Varney responded that all projects submitted were reviewed and these were the projects that were recommended as being the most likely to be funded by CDBG. Mr. Zehentner stated that the Town of Patagonia normally submits applications for projects in their jurisdiction; however, they missed deadlines and won't be submitting this year.

Mr. Morriss made a motion, based on the determination and recommendations made by staff as to the viability of these projects, to approve Resolution #1998-18; second by Mr. Damon; carried

#### **RESOLUTION 1998-18**

#### **AUTHORIZATION OF THE SANTA CRUZ COUNTY BOARD OF SUPERVISORS TO SUBMIT APPLICATION(S) AND IMPLEMENT CDBG PROJECTS**

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SANTA CRUZ COUNTY AUTHORIZING THE SUBMISSION OF AN APPLICATION (S) FOR FY 1998 STATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATION (S) MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

**WHEREAS**, Santa Cruz County is desirous of undertaking community development activities; and

**WHEREAS**, the State of Arizona is administering the Community Development Block Grant Program; and

**WHEREAS**, the State CDBG Program requires that CDBG funds requested address one of the three Congressional mandated National Objectives; and

**WHEREAS**, the activities within this application(s) address the community's identified housing and community development needs, including the needs of low and moderate income persons; and

**WHEREAS**, a grantee of State CDBG funds is required to comply with the program guidelines and Federal Statutes and regulations.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Board of Supervisors of Santa Cruz County authorize application to be made to the State of Arizona, Department of Commerce for FY 1998 CDBG funds, and authorize the Chairman of the Board of Supervisors to sign application and contract or grant documents for receipt and use of these funds for:

La Cancha Park Improvements  
 Road/Street (sidewalk construction) improvements;  
 Monte Carlo Subdivision  
 Rio Rico Senior Center Facility Improvements  
 (parking lot paving)

and authorize the Chairman of the Board of Supervisors to take all actions necessary to implement and complete the activities submitted in said application(s); and

THAT this application for State CDBG funds meets the requirements of low-and moderate-income benefit for activities justified as benefiting low-and moderate-income persons, aids in the prevention or elimination of slum and blight or addresses an urgent need which poses a threat to health; and

THAT, Santa Cruz County will comply with all State CDBG Program guidelines, Federal Statutes and regulations applicable to the State CDBG Program and the certifications contained in the application(s).

Passed and adopted by the Santa Cruz County Board of Supervisors this 28th day of July, 1998.

**APPLICANT CERTIFICATIONS FOR 1998 CDBG APPLICATION:** Brian Varney explained that this certification binds the County to adhere to all CDBG provisions and guidelines.

Motion by Mr. Morriss adopting Applicant Certifications for 1998 CDBG Application; second by Mr. Damon; carried.


**TITLE 1 GRANT FUND IGAs:** Attorney Chase informed the Board that Roberto Canchola, the County School Superintendent, received a letter from the State of Arizona Supreme Court, Administrative Office of the Courts (AOC), advising him that their office does not require the review of or signature on the Title 1 IGA documents by the County Board of Supervisors. Title 1 funds are federal monies which are transmitted to the County Superintendents of Schools by the AOC; there are no local funds involved. Attorney Chase stated that it is up to the Board to decide if they want to continue to review and approve this grant or if they want to do away with this requirement.

County Manager, Dennis Miller, stated that the Board has always approved grants for the County because if there is a problem with the grant, the County is ultimately responsible.

Mr. Morriss made a motion to provide for status quo; second by Mr. Damon; carried.

Meeting adjourned at 11:10 a.m. (RD/RM; carried)

  
 Clerk of the Board

  
 Ron Morriss, Chairman



STATE OF ARIZONA

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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-1271 TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE October 7, 1998.

GRANT WOODS  
Attorney General

A handwritten signature in black ink, reading "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:et/15801

Enc.